

REMARKS

Applicants wish to thank the Examiner for the careful consideration given to this case. In the Office Action claims 1-30 were rejected by the Examiner. More specifically:

- Claims 1-15 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter;
- Claims 1-4, 6-10, 12, 15-18, 20-24, 26, 29 and 30 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,356,864 (Foltz);
- Claims 13, 14, 27 and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Foltz;
- Claims 5, 11 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Foltz in view of U.S. Published Application No. 2003/0149692 (Mitchell); and
- Claim 19 was rejected under 35 U.S.C. §103(a) as being unpatentable over Foltz in view of U.S. Published Application No. 2003/0023642 (Spragins).

Claims 1 and 16 have been amended. Support for the amendments may be found in the originally filed specification at least at paragraph 0028. Upon entry of these amendments, claims 1-30 will remain pending. For the reasons set forth below, Applicants request that the above-listed rejections be withdrawn.

Claims 1-15

Claims 1-15 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter for not producing a useful, concrete and tangible result. Claim 1 has been amended to include the limitation “displaying an indication of an identified writing style error,” which constitutes a useful, concrete and tangible result. As such, amended claim 1 is directed to statutory subject matter under 35 U.S.C. §101. Moreover, claims 2-15, which depend from and incorporate all of the limitations of claim 1, likewise represent statutory subject matter.

Applicants further submit that amended independent claim 1 is novel over Foltz because Foltz fails to teach or suggest each and every limitation of amended independent claim 1. *See* MPEP §2131 (stating that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in the single prior art reference). More particularly, Applicants submit that Foltz fails to teach or suggest, among other things, “displaying an indication of an identified writing style error,” as recited in claim 1.

Foltz discloses a methodology for analyzing and evaluating a sample text, such as an essay. Foltz “analyzes the amount of subject-matter information in the sample text, analyzes the relevance of subject matter information in the sample and evaluates the semantic coherence of the sample.” Foltz, Abstract. Foltz also teaches assigning a grade to a sample text based on the degree of similarity between the sample text and the standard reference text. *Id.*, Abstract, 11:54-59; 13:49-52; 14:29-31; 14:58-59; and 15:29-31. However, the grade taught by Foltz does not indicate a writing style error. The grade taught by Foltz is merely based on the degree of similarity between a sample text and the reference text. *See id.*, Fig. 2 (70 and 80); Fig. 3A/B (200 and 230); Fig. 4A/B (320, 340 and 350); FIG. 5 (420-470); FIG. 7 (640 and 660) and associated text.

Foltz also teaches comparing sub-components, such as sentences, in the sample text to similar sized sub-components of the reference text. *Id.*, 12:57-60. The similarity of the words used in sentences in each text is determined and a grade is assigned based on the similarity between the sentences. *See id.*, 12:63-67. Foltz “provides diagnostic information about the subject-matter present or lacking in the ungraded sample text.” *Id.*, 12:67-13:2.

In contrast, claim 1 requires “displaying an indication of an identified writing style error.” Rather than merely assigning a grade based on the similarity of words used in a sample text and a reference text or subject matter that is present or lacking in the sample text as taught by Foltz, claim 1 requires identifying at least one writing style error based on a comparison between feature values of one or more text segments and a model, and displaying an indication of an identified writing style error. Foltz does not teach or suggest identifying at least one writing style error. Moreover, Foltz does not teach or suggest “displaying an indication of an identified writing style error,” as required by claim 1.

Therefore, for at least the reasons set forth hereinabove, Applicants submit that claim 1 is not anticipated by Foltz. *See* MPEP §2131. For similar reasons, Applicants also submit that claims 2-15, which depend from and incorporate all of the limitations of claim 1, are not anticipated by Foltz. Accordingly, Applicants request that the §§101, 102(e) and 103(a) rejections associated with claims 1-15 be withdrawn.

Claims 16-30

Applicants submit that amended independent claim 16 is novel over Foltz because Foltz fails to teach or suggest each and every limitation of amended independent claim 16. *See* MPHP §2131. More particularly, Applicants submit that Foltz fails to teach or suggest, among other things, “a display for presenting the evaluated essay, wherein the evaluated essay includes an indication of at least one identified writing style error,” as recited in claim 16.

Foltz discloses a methodology for analyzing and evaluating a sample text, such as an essay. Foltz “analyzes the amount of subject-matter information in the sample text, analyzes the relevance of subject matter information in the sample and evaluates the semantic coherence of the sample.” Foltz, Abstract. Foltz also teaches assigning a grade to a sample text based on the degree of similarity between the sample text and the standard reference text. *Id.*, Abstract, 11:54-59; 13:49-52; 14:29-31; 14:58-59; and 15:29-31. However, the grade taught by Foltz does not indicate a writing style error. The grade taught by Foltz merely provides an overall assessment of the similarity between a sample text and the reference text. *See id.*, Fig. 2 (70 and 80); Fig. 3A/B (200 and 230); Fig. 4A/B (320, 340 and 350); FIG. 5 (420-470); FIG. 7 (640 and 660) and associated text.

Foltz also teaches comparing sub-components, such as sentences, in the sample text to similar sized sub-components of the reference text. *Id.*, 12:57-60. The similarity of the words used in sentences in each text is determined and a grade is assigned based on the similarity between the sentences. *See id.*, 12:63-67. Foltz “provides diagnostic information about the subject-matter present or lacking in the ungraded sample text.” *Id.*, 12:67-13:2.

In contrast, claim 16 requires “a display for presenting the evaluated essay, wherein the evaluated essay includes an indication of at least one identified writing style error.” Rather than merely assigning a grade based on the similarity of words used in a sample text and a reference text, claim 16 requires indicating at least one writing style error based on a comparison between feature values of one or more text segments and a model, and displaying an indication of an indicated writing style error. Foltz does not teach or suggest identifying at least one writing style error. Moreover, Foltz does not teach or suggest “a display for presenting the evaluated essay, wherein the evaluated essay includes an indication of at least one identified writing style error,” as required by claim 16.

Therefore, for at least the reasons set forth hereinabove, Applicants submit that claim 16 is not anticipated by Foltz. *See* MPEP §2131. For similar reasons, Applicants also submit that claims 17-30, which depend from and incorporate all of the limitations of claim 16, are not anticipated by Foltz. Accordingly, Applicants request that the §§102(e) and 103(a) rejections associated with claims 16-30 be withdrawn.

All of the stated grounds of rejection have been properly traversed, accommodated or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. There being no other rejections, Applicants respectfully request that the current application be allowed and passed to issue.

If the Examiner believes for any reason that personal communication will expedite prosecution of this application, I invite the Examiner to telephone me directly.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for this Amendment and Response, or credit any overpayment, to deposit account no. 05-0426.

Respectfully Submitted,



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